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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) 2:20-MJ-00052-AC
Plaintiff,)
v.) STIPULATION AND ORDER
RAYMOND LEON RODRIGUEZ,) CONTINUING PRELIMINARY
Defendant.) HEARING DATE
Judge: Hon. Allison Claire

STIPULATION

The United States, by and through its undersigned counsel, and the defendant, by and through his counsel of record, hereby stipulate as follows:

1. By prior order, this matter was set for Preliminary Hearing on May 15, 2020.
 2. By this Stipulation, the parties now move to continue the Preliminary Hearing until July 24, 2020, at 2:00 p.m. This is the second request for a continuance in this matter.
 3. The defendant made his initial appearance on March 11, 2020.
 4. The defendant is presently released on pretrial supervision pending trial in this matter.

III

- 1 5. On March 23, 2020, the United States provided 68 pages of reports related to the
2 criminal investigation of the defendant. On May 4, 2020, counsel for co-defendant
3 Guerra-Salcedo requested additional follow-up discovery. The United States will
4 provide this discovery to both counsel. Counsel for the defendant needs time to
5 review the discovery, conduct defense investigation, and consult with the defendant.
6 6. Additionally, the parties have discussed potential pre-indictment resolution of this
7 matter. The parties need further time to discuss this matter, discuss any potential
8 consequences, and to allow counsel for the defendant reasonable time necessary for
9 preparation and further investigation.
10 7. The defendant understands that pursuant to 18 U.S.C. § 3161(b), “any information
11 or indictment charging an individual with the commission of an offense shall be
12 filed within thirty days from the date on which such individual was arrested.” Time
13 may be excluded under the Speedy Trial Act if the Court finds that the ends of
14 justice served by granting such a continuance outweigh the best interests of the
15 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The parties
16 jointly move to exclude time within which any indictment or information shall be
17 filed from the date of this order, through and including July 24, 2020, pursuant to
18 18 U.S.C. § 3161(h)(7)(B)(iv), because failure to do so would “deny counsel for the
19 defendant . . . the reasonable time necessary for effective preparation, taking into
20 account the exercise of due diligence.”
21 8. Good cause exists under Rule 5.1(d) of the Federal Rules of Criminal Procedure.

22 **IT IS SO STIPULATED.**

24 DATED: May 6, 2020

/s/ Justin L. Lee
JUSTIN L. LEE
Assistant U.S. Attorney

26 DATED: May 6, 2020

/s/ Philip Cozens
PHILIP COZENS
Attorney for Raymond Rodriguez
(as authorized on May 5, 2020)

ORDER

IT IS SO FOUND AND ORDERED, this 6th day of May, 2020.

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE